



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/667,081	09/18/2003	Kung-Ling Ko	2120-02400	1443

23505 7590 01/25/2008
CONLEY ROSE, P.C.
David A. Rose
P. O. BOX 3267
HOUSTON, TX 77253-3267

EXAMINER

DAVENPORT, MON CHERI S

ART UNIT	PAPER NUMBER
----------	--------------

2616

MAIL DATE	DELIVERY MODE
-----------	---------------

01/25/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/667,081

Applicant(s)

KO, KUNG-LING

Examiner

Mon Cheri S. Davenport

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 July 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-55 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-55 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21 (2) of such treaty in the English language.

2. Claims 1-5, 7-11, 13-17, 19-24, 43-55 are rejected under 35 U.S.C. 102(e) as being unpatentable by Oberman et al. (200310026267).

Regarding **Claims 1, 7, 13, 19, 43, and 49** Oberman et al. show a device wherein a port is configured to receive frames on a plurality of virtual channels (see [0018], a network switch that support packet flows of one or more virtual channels of the network switch)

Control logic configured to determine the virtual channels associated with said frames based upon virtual channel characteristics from an external device (see [0022], the network switches go through a login procedure to determine if virtual channels may be established. The GEMAC (Gigabit Ethernet Media Access Control), is enabled for the port to establish contact with the switch on the other end for virtual channels-based packet flow, see also [0064], the input block is configured to generate packet descriptors for the packet data and allocate storage, see [0106], a port is configured to support virtual channels, data is regulated via credits, see also [0193], network switch makes calculations and determines the number of virtual channels it has to support for the other switch and the corresponding size of the packets it will receive from the other switch for each virtual channel).

A Fibre Channel (FC) fabric coupling the nodes (see [0016], fig. 17, Fibre Channel hubs, switches and routers coupled together in the network , further, network switches as described herein may be incorporated into a Storage Area Network (SAN) that comprises multiple data transport mechanisms and thus supports multiple data transport protocols. These protocols may include SCSI, Fibre Channel, Ethernet and Gigabit Ethernet).

wherein the number of virtual channels supported by said port is not equal to the number of virtual channels supported by said external device (see [0171], lines 3-5, the number of virtual channels supported in each direction (port one direction and external device other direction) on a switch may be different (not equal)).

As to **claim 2**, Oberman et al. show a device wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power- up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 3**, Oberman et al. show a device wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 4**, Oberman et al. show a device wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 5**, Oberman et al. show a device wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 8**, Oberman et al. show a device wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 9**, Oberman et al. show a device wherein said external device comprises a user terminal comprising the host/server'(with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 10**, Oberman et al. show a device wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 11**, Oberman et al. show a device wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 14**, Oberman et al. show a device wherein said external device comprises a networking device comprising a switch (100B)(Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a

corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 15**, Oberman et al. show a device wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 16**, Oberman et al. show a device wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 17**, Oberman et al. show a device wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 20**, Oberman et al. show a switch wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 21**, Oberman et al. show a switch wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 22**, Oberman et al. show a switch wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 23**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 24**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 44**, Oberman et al. show a switch wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 45**, Oberman et al. show a switch wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 46**, Oberman et al. show a switch wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate

the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 47**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 48**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 50**, Oberman et al. show a switch wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 51**, Oberman et al. show a switch wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 52**, Oberman et al. show a switch wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and

ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 53**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 54**, Oberman et al. show a switch wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 55**, Oberman et al. shows wherein the at least one switch is coupled to the external device via at least one port out of the plurality of ports (see figure 1, see [0064], lines 7-16, the switch fabric comprise a plurality of switch fabric portions(ports), each having input and output port (to external device)) .

Claim Rejections - 35 USC § 103 3.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Officeaction:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 6, 12, 18, 25-42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Oberman et al. (200310026267) in view of Nagami et al. (6,167,051).

As to **claim 6**, Oberman et al. show all the elements except a device comprising an incoming remapping table that associates internal virtual channels with virtual channels of said external device.

Nagami et al. show a device comprising an incoming remapping table that associates internal virtual channels with virtual channels of said external device comprising the managing section sets up the ATM routing table (mapping table) (that contains the incoming frames' VCIs and outgoing ports VCIs; Fig. 26a and 26b, 27a and 27b; Fig. 2) on the basis of this decision (Col. 19, lines 4-15). The managing section (control logic, 309) is part of the Cell Switched Router (CSR), which is a particular type of router that has a data link-layer switch (switch/router device; Fig. 22 and 23) to transfer packets (frames) in addition to a network-layer processing section (an ordinary router software for packet forwarding). This technology makes it possible for a router to transfer packets at a layer lower than the network layer by directly linking an input virtual connection (VC) and an output VC through the switch (Col. 2, lines 35-42; Fig. 22 and 23).

Therefore, it would have been obvious to one of ordinary skilled in the art at the time of the invention to modify the device of Oberman et al. to include a table to maintain a one-to-one correspondence of incoming and outgoing VCs to properly route/switch the incoming and outgoing frames/packets.

As to **claim 12**, Oberman et al. show all the elements except a device comprising an outgoing remapping table that associates internal virtual channels with virtual channels of said external device.

Nagami et al. show a device comprising an outgoing remapping table that associates internal virtual channels with virtual channels of said external device comprising the managing section sets up the ATM routing table (mapping table) (that contains the incoming frames' VCIs and outgoing ports VCIs; Fig. 26a and 26b, 27a and 27b; Fig. 2) on the basis Of this decision (Col. 19, lines 4-15). The managing section (control logic, 309) is part of the Cell Switched Router (CSR), which is a particular type of router that has a data link-layer switch (switch/router device; Fig. 22 and 23) to transfer packets (frames) in addition to a network-layer processing section (an ordinary router software for packet forwarding). This technology makes it possible for a router to transfer packets at a layer lower than the network layer by directly linking an input virtual connection (VG) and an output VC through the switch (Col. 2, lines 35-42; Fig. 22 and 23).

Therefore, it would have been obvious to one of ordinary skilled in the art at the time of the invention to modify the device of Oberman et al. to include a table to maintain a one-to-one correspondence of incoming and outgoing VCs to properly route/switch the incoming and outgoing frames/packets.

As to **claim 18**, Oberman et al. show all the elements except a device comprising an incoming and outgoing remapping table that associates internal virtual channels with virtual channels of said external device.

Nagami et al. show a device comprising an incoming and outgoing remapping table that associates internal virtual channels with virtual channels of said external device comprising the managing section sets up the ATM routing table (mapping table) (that contains the incoming frames' VCIs and outgoing ports VCIs; Fig. 26a and 26b, 27a and 27b; Fig. 2) on the basis of this

decision (Col. 19, lines 4-15). The managing section (control logic, 309) is part of the Cell Switched Router (CSR), which is a particular type of router that has a data link-layer switch (switch/router device; Fig. 22 and 23) to transfer packets (frames) in addition to a network-layer processing section (an ordinary router software for packet forwarding). This technology makes it possible for a router to transfer packets at a layer lower than the network layer by directly linking an input virtual connection (VC) and an output VC through the switch (Col. 2, lines 35-42; Fig. 22 and 23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to modify the device of Oberman et al. to include a table to maintain a one-to-one correspondence of incoming and outgoing VCs to properly route/switch the incoming and outgoing frames/packets.

Regarding **Claims 25, 31, and 37** Oberman et al. show a method for transmitting frames in virtual channels comprising receiving virtual channel characteristics of an external device comprising network switches (see [0022], comprising a GEMAC (Gigabit Ethernet Media Access Control), which is logic (control logic) that is configurable to couple a port of the network switch to a Gigabit Ethernet, a Gigabit Ethernet port of a first network switch (receiver) establish a corresponding port on a second network switch (transmitter) which is virtual channel capable).

Remapping incoming and outgoing frames according to said correspondence(see [0022], the management CPU of the receiver network switch, first setting up the port as a standard Gigabit Ethernet port (with or without flow control), then a number of virtual channel parameters (virtual channel characteristics) may be set in configuration registers, and the

GEMAC (Gigabit Ethernet Media Access Control) may be enabled for the port to try and establish contact with the switch on the other end for virtual channel-based packet flow, when establishing virtual channels on a link between network switches, the network switches go through a login procedure to determine if virtual channels may be established, network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics))

wherein the number of virtual channels supported by said port is not equal to the number of virtual channels supported by said external device (see [0171], lines 3-5, the number of virtual channels supported in each direction (port one direction and external device other direction) on a switch may be different (not equal)).

However, Oberman et al. do not specifically show a method of determining a correspondence between internal virtual channels and virtual channels of said external device and remapping outgoing frames according to said correspondence.

Nagami et al. show a method of determining a correspondence between internal virtual channels and virtual channels of said external device and remapping outgoing frames according to said correspondence comprising the managing section (determining section) sets up the ATM routing table (mapping table) (that contains the correspondence for incoming frames' VCIs and outgoing ports VCIs; Fig. 26a and 26b, 27a and 27b; Fig. 2) on the basis of this decision (Col. 19, lines 4-15). The managing section (control logic, 309) is part of the Cell Switched Router (CSR), which is a particular type of router that has a data link-layer switch (switch/router device; Fig. 22 and 23) to transfer packets (frames) in addition to a network-layer processing section (an ordinary router software for packet forwarding). This technology makes it possible for a router to

transfer packets at a layer lower than the network layer by directly linking an input virtual connection (VC) and an output VC through the switch (remapping outgoing frames to outgoing VCs) (Col. 2, lines 35-42; Fig. 22 and 23).

Therefore, it would have been obvious to one of ordinary skilled in the art at the time of the invention to modify the method of Oberman et al. to include a table to maintain a one-to-one correspondence of incoming and outgoing VCs to properly route/switch the incoming and outgoing frames/packets.

As to **claim 26**, Oberman et al. show a method wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 27**, Oberman et al. show a method wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 28**, Oberman et al. show a method wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 29**, Oberman et al. show a method wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the

egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 30**, Oberman et al. show a method wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 32**, Oberman et al. show a method wherein said external device comprises a networking device comprising a switch (i00B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022). As to claim 33, Oberman et al. show a method wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 34**, Oberman et al. show a method Wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 35**, Oberman et al. show a method wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 36**, Oberman et al. show a method wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

As to **claim 38**, Oberman et al. show a method wherein said external device comprises a networking device comprising a switch (100B) (Fig. 17). Further, on power-up of the network switch, a Gigabit Ethernet port of a first network switch (receiver) may try and establish if a corresponding port on a second network switch (external device) (transmitter) is virtual channel capable (Page 2, paragraph 0022).

As to **claim 39**, Oberman et al. show a method wherein said external device comprises a user terminal comprising the host/server (with Fibre Channel adapter cards) in the network as well (Page 1, paragraph 0006).

As to **claim 40**, Oberman et al. show a method wherein said characteristic comprises a set of virtual channel identifiers comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel characteristics), thus obtaining various virtual channel identifiers along with the number of virtual channels (Fig. 25).

As to **claim 41**, Oberman et al. show a method wherein said characteristics comprise a virtual channel count comprising network switches on a particular link that may calculate the egress and ingress packet sizes for each of the virtual channels, and the number of egress and ingress virtual channels (virtual channel count) (Page 16, paragraph 0193).

As to **claim 42**, Oberman et al. show a method wherein said characteristics comprise a virtual channel mapping mode comprising various modes including gigabit Ethernet port with virtual channel packet mode (Fig. 14).

Response to Arguments

1. Applicant's arguments with respect to **claims 1, 7, 13, 19, 25, 31, 37, 43, and 49** have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

1. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mon Cheri S. Davenport whose telephone number is 571-270-1803. The examiner can normally be reached on Monday - Friday 8:00 a.m. - 5:00 p.m. EST.

Application/Control Number:
10/667,081
Art Unit: 2616

Page 17

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on 571-272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

MD/md
January 11, 2008

Seema S. Rao
SEEMA S. RAO 1/21/08
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2000